WP(C) 1979/2007
BEFORE
HON'BLR MR JUSTICE AMITAVA ROY

Heard Mr Dey, learned counsel for the petitioner. Also heard Mr N.Deka, learned CGSC for the respondent Nos 1 to 6 and Mr Rahman, learned State counsel for the respondent Nos 7 to 11.

The petitioner seeks judicial intervention in the matter of solemnization of the religious rites of the deceased Dulu Chetia proposed to be publicly held on 6.5.2007 at Kanu-Bhogbari Higher and Middle English School playground, village-Kanu-Bhogbari, Sapekhati, District Sibsagar,Assam.

The facts pleaded disclose that the committee constituted for the said purpose has, in the meantime , on 23.4.2007 submitted an application before the Sub-Divisional Officer(C), Charaideo, Sonari seeking necessary permission therefor. The said authority on the very day had called for a report on the issue from the Officer in charge, Sapekhati Police station presumably to make an assessment of the ground realities before passing any order on the request. The grievance of the petitioner is that though the date of solemnization of the ceremony is drawing near, the concerned respondent authority has remained indifferent in the matter.

The learned counsel for the petitioner while reiterating the above has submitted that the petition be closed with a direction to the Deputy Commissioner, Sibsagar to take necessary steps in the matter and decide on the request for permission at the earliest.

The learned State counsel has no objection to the course suggested.

In the above view of the matter, this petition is closed with a direction to the Deputy Commissioner, Sibsagar to cause immediate steps to be taken to examine the request for allowing the concerned committee to solemnize the last rites of the deceased Dulu Chetia publicly on 6.5.2007 and take an appropriate decision in accordance with law. As the date of the solemnization is 6.5.2007, the decision as above, should be taken latest by 4.5.2007.

The writ petition stands closed in the above terms. No costs.